

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE

MANUEL SILVA,)	
)	
Plaintiff,)	
)	
v.)	No.: 3:08-CV-505
)	(VARLAN/SHIRLEY)
MONROE COUNTY SHERIFF and)	
COKER CREEK VILLAGE RETREAT,)	
)	
Defendants.)	

MEMORANDUM AND ORDER

This civil action is before the Court on defendant Monroe County Sheriff's Motion to Dismiss [Doc. 7], in which defendant argues that this case should be dismissed for failure to state a claim upon which relief can be granted. Plaintiff responded [Docs. 9; 13] and defendant filed a reply [Doc. 11], thus, this matter is now ripe for determination..

Plaintiff's complaint against the Monroe County Sheriff, Coker Creek Village Retreat, Cameron Atchley, and Esther S. Gray¹ alleges that defendants violated 18 U.S.C. §§ 241 and 242. [See Doc. 3.] Sections 241 and 242 are criminal statutes and do not provide a private right of action. *See Central Bank of Denver v. First Interstate Bank of Denver*, 511 U.S. 164, 190 (1994), *Andrews v. Heaton*, 483 F.3d 1070, 1076 (10th Cir. 2007); *Johnson v. Kegans*, 870 F.2d 992, 1005 n.4 (5th Cir. 1989); *see also Crosby v. Catret*, 308 Fed. App'x 453, at

¹Plaintiff lists Cameron Atchley and Esther S. Gray as defendants in the body of the complaint but not in the caption. In the body of the complaint, plaintiff also refers to "Cameron S. Atchley and Esther S. Gray dba/ Coker Creek Village Adventure and Retreat Center."

*1 (D.C. Cir. 2009) (“The district court properly rejected appellant’s attempt to invoke 18 U.S.C. § 241 and 18 U.S.C. § 242 to initiate a prosecution against the named defendants because there is no private right of action under these criminal statutes.”).

For the reasons stated herein, the Court finds that defendant Monroe County Sheriff’s Motion to Dismiss [Doc. 7] is well-taken and it is hereby **GRANTED**. Because there is no private right of action pursuant to 18 U.S.C. §§ 241 and 242 and plaintiff states no other claims, this case is hereby **DISMISSED** as to all defendants.

IT IS SO ORDERED.

s/ Thomas A. Varlan
UNITED STATES DISTRICT JUDGE